

REMARKS/ARGUMENTS

The foregoing amendments and the remarks that follow are meant to impart precision to the claims, and more particularly point out the invention, rather than to avoid prior art. Claims 1-3, 10-14, 21 and 23 are pending in the application. Claims 1-3, 10-14, 21 and 23 were rejected. Claims 1 and 11 have been amended. No new matter has been added.

CLAIM REJECTIONS - 35 USC § 103

The Examiner has rejected claims 1-3, 10-14, 21 and 23 under 35 USC § 103(a) as being unpatentable over Abbott et al., U.S. Patent No. 6,671,808 (hereinafter “Abbott”), and further in view of Burger, U.S. Patent Publication No. 2005/0060586 (hereinafter “Burger”).

"All words in a claim must be considered in judging the patentability of that claim against the prior art." In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). (Manual of Patent Examining Procedure (MPEP)) ¶ 2143.03).

Applicant's independent claims include limitations that are not disclosed nor suggested in the Abbott or Burger. Applicant's independent claims are therefore patentable over Abbott in view of Burger.

In particular, as amended, Applicant's independent claims include the limitation of, or limitations similar thereto, of:

the controller . . . to record in the encrypted log on the storage medium, a unique identifier corresponding to a location the apparatus and the individual have visited;

the controller to restrict the individual **from modifying** . . . the encrypted log of unique identifiers of locations the apparatus and the individual have visited, as stored in the storage medium; and

the controller, in response to a request from an authorized requestor, to provide to the authorized requestor . . . the log of unique identifiers of locations the apparatus and the individual have visited. (Emphasis added.) (Amended Claim 1.)

Neither Abbott or Burger disclose nor suggest storing Applicant's claimed controller to **record** *an encrypted log of unique identifiers of locations the apparatus and the individual have visited*, to **restrict** the individual from **modifying** the same, and to provide the same to **an authorized requestor**.

Rather, Abbott is simply limited to a personal key that provide personal identification, but fails to disclose Applicant's amended limitations identified above. And, Burger is limited to disclosing an apparatus comprising a user authenticator and a transponder to emit a wireless signal representing information stored in the apparatus in response to a wireless interrogation signal after the user authenticator has authenticated the identity of the user.

Therefore, as a result of Applicant's amended independent claims including limitations not disclosed nor suggested in Abbott nor Burger, Applicant's independent claims are patentable over Abbott in view of Burger.

Furthermore, Applicant's remaining claims depend from at least one of Applicant's independent claims, and therefore include the distinguishing claim limitations, as discussed above. Applicant's dependent claims are therefore patentable over Abbott in view of Burger, as well.

CONCLUSION

It is respectfully submitted that all of the Examiner's objections have been addressed and that the application is now in order for allowance. Accordingly, reconsideration of the application and allowance thereof is courteously solicited.

Authorization is hereby given to charge our Deposit Account No. 50-2638 for any charges that may be due. Furthermore, if an extension is required, then Applicants hereby request such an extension.

Respectfully submitted,

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